

**WORKMAN NYDEGGER**

A PROFESSIONAL CORPORATION

ATTORNEYS AT LAW

1000 EAGLE GATE TOWER

60 EAST SOUTH TEMPLE

SALT LAKE CITY, UTAH 84111

TELEPHONE (801) 533-9800

FAX (801) 328-1707

November 11, 2008

**FACSIMILE COVER LETTER**

Please deliver the following pages to:

Board of Patent Appeals and Interferences  
United States Patent and Trademark Office  
PO Box 1450  
Alexandria, VA 22313-1450

Fax: **571-273-0052**

Telephone:

Total Number of Pages Including Cover Letter: 16 pagesFrom: **RICHARD C. GILMORE**Docket: **15499.185**

Comments: Attached please find a Certificate of Facsimile Transmission, Confirmation of Appellant's Request for Oral Hearing and supporting Exhibits A through D. If you have any questions, please contact me. Thank you.

THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS ATTORNEY PRIVILEGED AND CONFIDENTIAL INFORMATION INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED ABOVE. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE TO DELIVER IT TO THE INTENDED RECIPIENT, THEN YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED.

IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE, AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA THE U.S. POSTAL SERVICE. THANK YOU.

CONFIRMATION COPY WITH ENCLOSURES SENT BY FEDERAL EXPRESS \_\_\_\_\_

NO CONFIRMATION COPY SENT \_\_\_\_\_ X \_\_\_\_\_

W:\15499\OKFT0000002028\001.doc

PATENT APPLICATION  
Our Reference No.: 15499.185

**UNITED STATES PATENT AND TRADEMARK OFFICE**  
**BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Appeal No.	:	2009-0274	)	
			)	
Appl. No.	:	09/228,325	)	
			)	
Appellant	:	Larry Stevens	)	Group Art Unit 3711
			)	
Title	:	SYSTEMS AND METHODS FOR	)	
		BONDING AN ACRYLIC	)	
		SURFACE TO A FRAME	)	
			)	
Examiner	:	Michael S. Chambers	)	
			)	
Confirm. No.	:	8737	)	
			)	
Customer No.	:	22,913	)	

**CERTIFICATE OF FACSIMILE TRANSMISSION**

Board of Patent Appeals and Interferences  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

To Whom It May Concern:

I hereby certify that the following is being transmitted via facsimile to the United States Patent and Trademark Office, facsimile no. 571-273-0052 on the date shown below:

- Confirmation of Appellant's Request for Oral Hearing (2 pages) with:
  - attached Exhibit A (3 pgs)
  - attached Exhibit B (2 pgs)
  - attached Exhibit C (3 pgs)
  - attached Exhibit D (3 pgs).

Dated this 11<sup>th</sup> day of November, 2008.

Respectfully submitted,

/Richard C. Gilmore/  
RICHARD C. GILMORE  
Registration No. 37,335  
Attorney for Applicant  
Customer No. 22,913

RCG:kj  
2172970\_1.DOC

PATENT APPLICATION  
Our Reference No.: 15499.185

**UNITED STATES PATENT AND TRADEMARK OFFICE**  
**BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Appeal No.	:	2009-0274	)	
Appl. No.	:	09/228,325	)	
Appellant	:	Larry Stevens	)	Group Art Unit 3711
Title	:	SYSTEMS AND METHODS FOR BONDING AN ACRYLIC SURFACE TO A FRAME	)	
Examiner	:	Michael S. Chambers	)	
Confirm. No.	:	8737	)	
Customer No.	:	22,913	)	

**CONFIRMATION OF APPELLANT'S REQUEST FOR ORAL HEARING**

Board of Patent Appeals and Interferences  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

To Whom It May Concern:

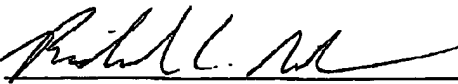
Appellant recently received a Docketing Notice, a copy of which is enclosed as Exhibit A. This Docketing Notice erroneously states that Appellant has not requested a hearing. *See* Exhibit A, at 2 ("Request for Hearing filed on: NONE"). To the contrary, on January 9, 2007, Appellant timely filed a Request for Oral Hearing with the appropriate fee. *See* Exhibit B (Request for Oral Hearing); Exhibit C (fee transmittal); Exhibit D (acknowledgement receipt). Accordingly, Appellant is filing this paper to confirm that Appellant has properly requested an oral hearing.

**Re.** : Confirmation of Appellant's Request for Oral Hearing  
**Appeal No.** : 2009-0274  
**Appl. No.** : 09/228,325

The Commissioner is authorized to charge payment of any additional fees associated with this communication, which have not otherwise been paid, to Deposit Account No. 23-3178. If any additional extension of time is required, which have not otherwise been requested, please consider this a petition therefore and charge any additional fees that may be required to Deposit Account No. 23-3178.

Respectfully submitted,

Dated: November 11, 2008

By:   
Richard C. Gilmore  
Registration No. 37,335  
Attorney of Record

**Customer No. 22,913**

WORKMAN NYDEGGER  
1000 Eagle Gate Tower  
60 East South Temple  
Salt Lake City, Utah 84111  
Telephone: (801) 533-9800  
Facsimile: (801) 328-1707  
E-mail: rgilmore@wnlaw.com

2140573\_1.DOC

**Re.** : Confirmation of Appellant's Request for Oral Hearing  
**Appeal No.** : 2009-0274  
**Appl. No.** : 09/228,325

## **EXHIBIT A**



## UNITED STATES PATENT AND TRADEMARK OFFICE

**COPY**

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/228,325	01/11/1999	LARRY STEVENS	15499.185	8737
22913	7590	10/10/2008		
WORKMAN NYDEGGER 60 EAST SOUTH TEMPLE 1000 EAGLE GATE TOWER SALT LAKE CITY, UT 84111			EXAMINER CHAMBERS, MICHAEL S	
			ART UNIT 3711	PAPER NUMBER
			MAIL DATE 10/10/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

**COPY**



**United States Patent and Trademark Office**

**Under Secretary of Commerce for Intellectual Property and  
Director of the United States Patent and Trademark Office**

**P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov**

**WORKMAN NYDEGGER  
60 EAST SOUTH TEMPLE  
1000 EAGLE GATE TOWER  
SALT LAKE CITY, UT 84111**

**Appeal No: 2009-0274  
Application: 09/228,325  
Appellant: LARRY STEVENS**

**Board of Patent Appeals and Interferences  
Docketing Notice**

Application 09/228,325 was received from the Technology Center at the Board on September 22, 2008 and has been assigned Appeal No: 2009-0274.

A review of the file indicates that the following documents have been filed by appellant:

**Appeal Brief filed on: February 27, 2008  
Reply Brief filed on: July 30, 2008  
Request for Hearing filed on: NONE**

In all future communications regarding this appeal, please include both the application number and the appeal number.

The mailing address for the Board is:

**BOARD OF PATENT APPEALS AND INTERFERENCES  
UNITED STATES PATENT AND TRADEMARK OFFICE  
P.O. BOX 1450  
ALEXANDRIA, VIRGINIA 22313-1450**

The facsimile number of the Board is 571-273-0052. Because of the heightened security in the Washington D.C. area, facsimile communications are recommended. Telephone inquiries can be made by calling 571-272-9797 and should be directed to a Program and Resource Administrator.

By order of the Board of Patent Appeals and Interferences



Re. : Confirmation of Appellant's Request for Oral Hearing  
Appeal No. : 2009-0274  
Appl. No. : 09/228,325

## **EXHIBIT B**

**COPY**

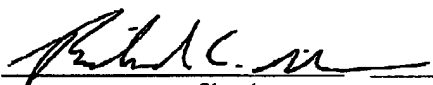
Doc Code:

PTO/SB/32 (09-00)

Approved for use through 03/31/2007. OMB 0551-0031

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REQUEST FOR ORAL HEARING BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES		Docket Number (Optional)  15499.185	
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, on _____ Signature _____ Typed or printed name _____		In re Application of Larry Stevans	
		Application Number 09/228,325	Filed 01/11/99
		For SYSTEM AND METHOD OF BONDING AN ACRYLIC SURFACE TO A	
		Art Unit 3711	Examiner Michael S. Chambers
Applicant hereby requests an oral hearing before the Board of Patent Appeals and Interferences in the appeal of the above-identified application.			
The fee for this Request for Oral Hearing is (37 CFR 41.20(b)(3))		\$ 1000.00	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is:		\$ _____	
<input type="checkbox"/> A check in the amount of the fee is enclosed.			
<input checked="" type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.			
<input type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.			
<input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account 23-3178. I have enclosed a duplicate copy of this			
<input checked="" type="checkbox"/> A petition for an extension of time under 37 CFR 1.136(b) (PTO/SB/23) is enclosed. For extensions of time in reexamination proceedings, see 37 CFR 1.550.			
<b>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</b>			
I am			
<input type="checkbox"/> applicant/inventor.		Signature	
<input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.		RICHARD C. GILMORE	
		Typed or printed name	
<input checked="" type="checkbox"/> attorney or agent of record. Registration number 37,335		January 9, 2007	
		Date	
<input type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34, _____		801-533-9800	
		Telephone Number	
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required.			
<input checked="" type="checkbox"/> * Total 1 forms are submitted.			

This collection of information is required by 37 CFR 41.20(b)(3). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**Re.** : Confirmation of Appellant's Request for Oral Hearing  
**Appeal No.** : 2009-0274  
**Appl. No.** : 09/228,325

## **EXHIBIT C**

**COPY****Electronic Patent Application Fee Transmittal**

<b>Application Number:</b>	09228325			
<b>Filing Date:</b>	11-Jan-1999			
<b>Title of Invention:</b>	SYSTEM AND METHOD FOR BONDING AN ACRYLIC SURFACE TO A FRAME			
<b>First Named Inventor/Applicant Name:</b>	LARRY STEVENS			
<b>Filer:</b>	Richard Cecil Gilmore/Candice Cook			
<b>Attorney Docket Number:</b>	15499.185			
Filed as Large Entity				
<b>Utility Filing Fees</b>				
<b>Description</b>	<b>Fee Code</b>	<b>Quantity</b>	<b>Amount</b>	<b>Sub-Total In USD(\$)</b>
<b>Basic Filing:</b>				
<b>Pages:</b>				
<b>Claims:</b>				
<b>Miscellaneous-Filing:</b>				
<b>Petition:</b>				
<b>Patent Appeals and Interference:</b>				
Notice of appeal	1401	1	500	500
Request for oral hearing	1403	1	1000	1000
<b>Post-Allowance and Post-Issuance:</b>				

Description	Fee Code	Quantity	Amount	Sub Total in USD(\$)
Extension-of-Time:				
Extension - 4 months with \$0 paid	1254	1	1590	1590
Miscellaneous:				
Total in USD (\$)				3090

**Re.** : Confirmation of Appellant's Request for Oral Hearing  
**Appeal No.** : 2009-0274  
**Appl. No.** : 09/228,325

## **EXHIBIT D**

**Electronic Acknowledgement Receipt****COPY**

<b>EFS ID:</b>	1427811
<b>Application Number:</b>	09228325
<b>International Application Number:</b>	
<b>Confirmation Number:</b>	8737
<b>Title of Invention:</b>	SYSTEM AND METHOD FOR BONDING AN ACRYLIC SURFACE TO A FRAME
<b>First Named Inventor/Applicant Name:</b>	LARRY STEVENS
<b>Customer Number:</b>	22913
<b>Filer:</b>	Richard Cecil Gilmore/Candice Cook
<b>Filer Authorized By:</b>	Richard Cecil Gilmore
<b>Attorney Docket Number:</b>	15499.185
<b>Receipt Date:</b>	09-JAN-2007
<b>Filing Date:</b>	11-JAN-1999
<b>Time Stamp:</b>	19:58:26
<b>Application Type:</b>	Utility

**Payment information:**

Submitted with Payment	yes
Payment was successfully received in RAM	\$3090
RAM confirmation Number	794
Deposit Account	

**File Listing:**

Document Number	Document Description	File Name	File Size(Bytes)	Multi Part /zip	Pages (if appl.)
-----------------	----------------------	-----------	------------------	-----------------	------------------

**COPY**

1	Notice of Appeal Filed	185NoticeofAppeal.pdf	41389	no	1
Warnings:					
Information:					
2	Request for Oral Hearing	185RequestforOralHearing.pdf	63837	no	1
Warnings:					
Information:					
3	Extension of Time	185PetitionforExtotTime.pdf	41518	no	1
Warnings:					
Information:					
4	Appeal Brief Filed	185AppealBrief.pdf	2165517	no	57
Warnings:					
Information:					
5	Fee Worksheet (PTO-06)	fee-info.pdf	8468	no	2
Warnings:					
Information:					
Total Files Size (in bytes):			2310729		
<p>This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.</p> <p><b><u>New Applications Under 35 U.S.C. 111</u></b> If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.</p> <p><b><u>National Stage of an International Application under 35 U.S.C. 371</u></b> If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.</p>					